

Indiana Department of Education

Division of Exceptional Learners

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1916.02
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	May 16, 2002
DATE OF REPORT:	June 14, 2002
REQUEST FOR RECONSIDERATION:	yes/no change
DATE OF CLOSURE:	July 11, 2002

COMPLAINT ISSUES:

Whether the Carmel Clay Schools and the Hamilton-Boone-Madison Special Services Cooperative violated:

511 IAC 7-27-4(c) and 511 IAC 7-27-6(a)(8) by failing to ensure the case conference committee (CCC) considered the student's need for extended school year services.

FINDINGS OF FACT:

1. The student (Student) is 6 years old, will be entering 1st grade next year, and is eligible for special education and related services as a student with an autism spectrum disorder.
2. The CCC convened on May 14, 2002 to develop an IEP for the Student's 2002-2003 school year. The May 2002, IEP documents that the CCC did not reach agreement regarding extended school year (ESY) services for the Student. The Complainant requested ESY services for the Student, but the CCC Report documents that the local director of special education (Director) stated that there was a lack of "hard data" to support the Student's needs for ESY services. The CCC decided that ESY services for the Student would be decided at a later date when the hard data had been produced. The CCC was scheduled to reconvene on May 22, 2002, but was cancelled, and has not been rescheduled. The Complainant chose not to sign the IEP.

CONCLUSION:

1. Findings of Fact #2 reflects that the subject of ESY services was addressed at the May 14, 2002, CCC meeting, although no agreement was reached. The CCC agreed to collect additional information and reconvene. No violation of 511 IAC 7-27-4(c) or 511 IAC 7-27-6(a)(8) is found.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.